

REMARKS

Claims 1-20 are pending.

I. The Restriction Requirement and the Applicant's Provisional Election

The Office required restriction, under 35 U.S.C. §§ 121, 372, and considered the present application to contain separate and distinct inventions, directed to three groups designated Groups I-III, as these inventions or groups of inventions allegedly are not so linked as to form a single general inventive concept under PCT Rules 13.1 and 13.2.

In response, the Applicants hereby provisionally elect, **with traverse**, Group I, claims 1-2 and 4-9, drawn to a polymer electrolyte. In addition, the Applicants provisionally elect, **with traverse**, a species from a combination of formula (2a) and formula 2(b).

The Applicants note that upon allowance of any linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all of the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 C.F.R. § 1.104.

II. The Search Is Not Unduly Burdensome

The Applicants traverse the restriction requirement at least on the grounds that the search and examination of Groups I-III together is not unduly burdensome. According to MPEP § 803, "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." The Applicants suggest that because all of the claims are related to a polymer electrolyte, the examination of Groups I-III together can be made without serious burden and thus respectfully request that all of the claims be rejoined.

CONCLUSION

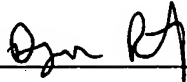
The Applicants respectfully await the first Office Action on the merits.

The Office is invited to contact the undersigned by telephone if a telephone interview would advance the prosecution of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

Date October 8, 2009

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4620
Facsimile: (202) 672-5399

Benjamin A. Berkowitz
Attorney for the Applicants
Registration No. 59,349